



## **Judge Blocks Yellowstone Snowmobile Ban**

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CHEYENNE, Wyo. - Severe restrictions on snowmobiling in Yellowstone and Grand Teton national parks were blocked by a federal judge Tuesday, nearly two months after they were put in place.

U.S. District Judge Clarence Brimmer in Wyoming ruled that the restrictions would cause irreparable harm to companies that rely on snowmobiling in the parks due to lost business.

Brimmer issued a temporary restraining order against the restrictions and ordered the National Park Service to develop temporary rules for the rest of the 2004 season including use of cleaner, quieter snowmobiles.

It was not immediately clear what the next legal step would be, or what rules would be in effect for the 2005 season.

In December, just before the snowmobile season in the parks, U.S. District Judge Emmet Sullivan in Washington, D.C., reinstated a Clinton administration plan to ban snowmobiles in favor of less-polluting mass-transit snow coaches.

Sullivan's ruling allowed a limited number of snowmobiles in the parks this winter, but all had to be part of commercially guided trips. The ruling called for a complete ban next winter.

Snowmobile manufacturers and Wyoming officials appealed Sullivan's ruling, saying the phase-out would devastate communities that rely on winter tourism.

"The people that are suffering under the move toward banning snowmobiles are the small-business owners in and around the parks," Gov. Dave Freudenthal said in a statement welcoming Brimmer's decision.

Environmental groups support the ban, arguing that snowmobiles create air and noise pollution in the parks and endanger the health of park workers. They also contend that the snowmobiles harass and hurt wildlife.

"Yellowstone was clearly on a path to a better future, to cleaner air, to healthier wildlife," said Michael Scott, executive director of the Greater Yellowstone Coalition, a conservation group. "I think this ruling potentially puts that in jeopardy."

Messages left for a park spokeswoman Tuesday evening were not immediately returned.

Sullivan's ruling scuttled a 2001 settlement between the Bush administration and the state and snowmobile groups. The settlement did not ban snowmobiles, but reduced the number of the vehicles allowed in the parks and required cleaner-burning machines.

The Greater Yellowstone Coalition had argued that the Wyoming court lacked jurisdiction to grant an injunction because it would directly conflict with the order of the D.C. court. Brimmer disagreed, saying he was ruling on the Clinton administration's rule, while Sullivan ruled on the Bush administration's version.